

THE
C H A R G E
O F
S C H I S M
CONTINUED:

B E I N G

Justification of the Author of
Christian Blessedness, for his Charg-
ing the Separatists with *SCHISM*,
notwithstanding the Toleration.

By way of a Letter.

The Second Edition, Corrected
by the Author.

—L O N D O N,

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Cornhill, near the Royal Exchange. 1703.

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S I R,

THE Information you give me concerning the great Clamour that is made by some in the City, against our Friend the Author of *Christian Blessedness*, for continuing the Charge of Schism at this time against the *Separatists* from the Church of *England*, I am the more ready to believe, because I find he meets with a great deal of the like Treatment in the *Country*, as far as the Sphere of my Acquaintance or Intelligence reaches. I can hardly put my Head into any Company, but where I hear him either Passio-

A 2 nately

nately rail'd at by Popular un-educated Tongues, or gravely condemn'd by those of more sober and improved Understandings ; who, though no Enemies to his *Person*, have yet but little Charity for his *Cause*. Nay, several who know nothing at all of the Book, and so cannot directly and expressly condemn it, do yet shew how ready they would be upon occasion to do so, by declaring their Judgments against the Proposition main-tain'd in it.

For I find 'tis a thing generally taken for granted, at least among common People, that the Dissenters are now no longer under the Guilt of Schism, however they might be charged with it before. *For, they reckon, the Tables are now turn'd.* They have

have now an Authentick Patent for their Separation, and may divide from you by Authority. And therefore let your Indictment run never so high, and be otherwise never so well proved, their Liberty will be their immediate Discharge. For, *Sir*, you must know that the Toleration is generally supposed to lay all in *Common*, to put the Church and the Conventicles upon a square, and to acquit those that Separate, not only from the *Penalty*, but from the *Fault* of Non-conformity.

This Notion, there may be good Reason to doubt, has found some entertainment, not only in Vulgar Heads, (who seldom think distinctly about any thing, but confound all things, whose Difference is not to be *felt* and

handled) but also among those of good Natural Sense, and who have taken a Turn or two of Scholaftick Education, and understand something of the Mea-tures of Reason and Conse-quence. Particularly, that this Conceit passes current among Ladies and Gentlemen, who, for want either of Leisure or Abi-lity, or Attention, seldom ex-amine things to the bottom, but judge according to Outside and Appearance.

But this I do not so much wonder at, when there is dan-
ger of Men, of profess'd Study
and considerable Learning, be-
ing carried away with the same
Fancy, which I find gets ground
every day ; and let me tell you,
Sir, among some others, besides
those whose Interest is concern'd

to have it true, I find some of these begin to talk very edly and untowardly in this matter, and not according to their usual Clearness, and accuracy of Judgment, which they still retain in their other Discourses. But as for the Interested Parties, they catch at this Popular Plea of the Toleration with all the greediness imaginable, and insist upon it mightily, (an Argument, by the way, that they distrust their other Defences,) and are become down-right impatient of the Charge of Schism, and think themselves not only highly Affronted, but greatly Wrong'd and Injured whenever they are tax'd with it, and as you know, Sir, are very angry with our Author for continuing the Charge. What ? Charge us with Schism

at this time of day, Now we are in Favour, Now the Government smiles upon us, Now we have the Law on our Side ?

How far they have the Law of their Side, will be better understood from what is to follow. In the mean time I wish that some of those who are so incens'd against our Author, and so free in their Censures upon that part of his Book, would have took the Courage to appear against him in publick, which would have been a much fairer and more manly way than either to rail at him in Corners, (which, by the way, are as little sought for by *Charity* as by *Truth*) or to pester him with Scurrilous and Abusive Letters without Names. This argues their *Fear* to be as great as their *Malice*,
and

and that they diffide either to their Cause, or to their Skill in managing it. The truth is, they ought for their own Credit, as well as in Justice to the Author, either to have Suppress'd their Resentments, or to have Vent-ed them in Publick. Which if they had done, I dare undertake they should not have been disappointed of an Adversary.

But it seems they have thought fit to make use of another Method, which though not equally declarative of their Sense, yet with the help of a little Spelling and Collating things together, may serve to pick out enough of their Meaning. For as far as I can gather from what I observe, and from what I hear, the Sum of all they have to say against our Author (bating impertinent

Cavils and Foul-mouth'd Reflections) may be reduced to these three Heads :

1. The Falseness of his Charge.
2. The Uncharitableness of it.
3. The Unseasonableness of it.

Which Treble Censure is grounded upon one Common Argument, because, say they, the Dissenters are Now, by Virtue of their Toleration, upon Equal Terms with the Church.

But, *Sir*, in the First place, how can that be, when One is *Establish'd*, and the Other only *Tolerated*? Is not Establishment more than *Liberty*? If by *Liberty* here were understood Allowance or Warrant to act, (which is the highest Sense of the word that the Persons concern'd stand for) it would yet fall much short of Establishment, which

which does not only Allow or Permit, but Enjoyn and Require. Much more then if Liberty here be found (as I believe it will) to signify only a Capacity of acting without Punishment. Liberty of *Allowance* is much short of Establishment, much more Liberty of *Impunity*. And how then are the Church and the Dissenters upon Equal Terms ?

Some therefore, who better understand what they say, will chuse, perhaps, to express themselves thus, That the Dissenters have as much Authority for their Liberty, as the Church has for her Establishment. Which implies not *Absolute Equality*, but only *Equality of Proportion*. Now this I readily admit. But what then ? Therefore they are not guilty of Schism in Causelessly

lesly dividing from her Communion. I interpose the Term (*Causelesly*) not without reason. For if they say they have sufficient Cause for dividing from us, then they no longer stand to their Plea of Toleration, but put their Cause upon another Issue, which I think has been already sufficiently examin'd and exposed. But that which they stand for now by the nature of their Appeal, seems to be this, That they are not guilty of Schism, because of the Liberty they have by the Toleration, which must therefore be supposed to excuse them from Schism, though they Causelesly divide from us. For if they had just Cause for their Separation, then they would be excused from Schism without a Toleration, which

which then need not be pleaded. But this is the Plea that is now generally insisted upon for their discharge from Schism, which must therefore be understood with this Supposal, though they do *Causelessly* divide from the Communion of the Church. This therefore is the true and explicite State of their Plea.

The Dissenters have now as much Authority for their Liberty as the Church has for her Establishment ; And therefore they are not guilty of Schism in Causelessly Separating from her. Now this Consequence I utterly deny, and Affirm that such Separatists are as much guilty of Schism now, after the Tolerati-
on, as they were before.

To make this clear, we must, in the First place distinguish be-
tween

tween the *Law* it self, and the *Sanction* of the Law. By the Law it self here I understand the bare Simple Proposition, wherein either the doing or the not doing such a thing is enacted. By the Sanction of the Law I understand those External Motives which are proposed and solemnly annex'd by the Law-giver to his Law as an ingagement to Obedience, that is, Rewards and Punishments. These Sanctions, though they are sometimes made a part of the Law, as when we say the *Penal Part* by way of Contradistinction to the *Preceptive*; yet properly speaking, they are no part of the Law at all, but only Accessories or Appendixes prudentially added to it, as Expedients for the better inforcement of Obe-

Obedience. The Law it self is wholly compleated in the Proposition, from which the Sanction is as much distinct as the Hedge is from the Inclosure, or the Ground which it incloses.

This Distinction naturally leads us into another, as being dependent upon it. For if the Sanction be a distinct thing from the Law, then we must also, 2dly, distinguish between the Abolishing of the Sanction and the Abolishing of the Law, and between the Suspension of the Sanction and the Suspension of the Law, and much more yet between the Suspension of the Sanction and the Abolishment of the Law. If the Law and the Sanction were one and the same thing, yet the Suspension of the Sanction could not be an Abolishment

lishment of the Law, because Suspension is not *Abolishment*. Much less then can the Suspension of the Sanction be an Abolishment of the Law upon the Supposition of their Difference. These Things therefore ought carefully to be distinguisht.

From the Distinctions premised, this Conclusion will necessarily arise, That the Directive or Preceptive part of the Law may still remain in force though the Penal part (I speak according to common use) be remov'd, whether it be by Abolishment or by Suspension. For since the Preceptive and the Penal part are supposed to be wholly distinct, 'tis impossible that a Change made in the One should at all affect the Other, unless you could suppose some connexion

nexion or other to intercede between them. As for instance, the Soul and Body being supposed to be Substances really distinct, 'tis impossible that a Change in the One should at all affect the Other, unless there were such a Law of connexion between them, that certain Thoughts in the Soul should raise certain Motions in the Body, and that certain Motions in the Body should occasion certain Thoughts in the Soul, which is what we call the *Vital Union* between Soul and Body. In like manner say I concerning the Preceptive and the Penal part of the Law, that upon Supposition of their real distinction 'tis impossible that a change in the One should at all affect the Other, unless there should happen to be

be such a declared connexion between them by the Will of the Legislative, that upon the ceasing of the One, the Other also should cease; or unless the Nature of the thing infer the Necessity of it. Neither of which may be pretended in the present Case, as I shall have Occasion to shew in the process of this Argument. At present I suppose it, and do therefore say that the Preceptive part of the Law may, and will still remain in force, though the Penal part (which is distinct from it) be remov'd.

Whence it will further follow, that the Preceptive part of the Law does at present actually remain in full force. For all that a Toleration does or can do, is only to remove the Penalty.

nalty, where there is an Establisht National Church. It is not there a Liberty of *Allowance*, but only a Liberty of *Impunity*. I say, where there is an Establisht National Church. For indeed where there is no Legal Establishment for the Publick Exercise of Religion, a Toleration would be a Liberty of Allowance, (I mean, as far as the State or Civil Law can give an Allowance in this matter;) but where there is such an Establishment, there it can only be a Liberty of Impunity. There it only suspends or takes away for a time the Penal part, which will not excuse from transgrefsing against the Preceptive, which, where-ever there is a National Establishment, still Lives, Breathes, Speaks, Commands.

mands, and Obliges too under Sin, though not under Civil Penalty.

Every one knows, that has either Read or Thought any thing about the nature of Laws, that a *Toleration* is very much short of a *Dispensation*. But now a *Dispensation* does not Abolish the Precept of the Law, much less then may a Toleration be supposed able to do it. Indeed a Dispensation does some way affect the Preceptive part of the Law, and that is it whereby it exceeds a Toleration. It is indeed a present Suspension of it, not an absolute thorough Suspension, but a Suspension with relation to such a particular Person or Action, in respect of which, the present Course of the Law is interrupted. But now

a Toleration does not so much as affect the Preceptive part of the Law, it has no manner of effect upon it, much less can it Abolish it, or Null the Obliging force of it. All therefore that it can do is only to remove the Penalty.

And this is the true Difference, and perhaps the Only one that can be assigned between a Dispensation and a Toleration. A Dispensation does, for the present, and to some intents and purposes, bind up or suspend the Preceptive part of the Law, and interrupts the Authoritative and Obliging Power of it, and thereby makes it not only consistent with Impunity, but with Innocency to act against it. For it makes the Law as no Law, with respect to the Person or Persons

Persons dispens'd with, and for the time while they are dispens'd with. But now a Toleration does not pass any such Effect (indeed not any at all!) upon the Preceptive part of the Law. It neither *strikes* it, nor is *levell'd* at it. All the execution that it does, or is design'd to do, is upon the Penal part, which indeed for the time is wholly remov'd by it. So that a Dispensation does as much exceed a Toleration, as an Abrogation does a Dispensation. In that a Dispensation does do no more than suspend the Preceptive part, it falls short of an Abrogation, which absolutely and universally removes it. And in that it does so much, it exceeds a Toleration, which only takes off the Penalty, without so much a touch.

touching either the Substance or the *Vertue* of the Law.

And though this be clear and plain enough by the Evidence of its own Light ; yet, I confess, 'tis some satisfaction to me, and it may be more so to others who set a greater value upon Authorities than I do, to find so great and so well-approv'd a Judge of the abstract and general Reason of Law, as the Celebrated Suarez, to be of the same Judgment with me in this matter. For, says he, in his Book *De Legibus*, speaking of the Effects of a Dispensation of a Humane Law, *Dispensatio plus est quam Permissio, & Permissio proprie sumpta & secundum Communem usum, non est Dispensatio. Aliquando enim permettere non aliud*

Lib. 6. cap.
ii. p. 386.

aliud significat quam voluntarie
 non impedire, quod non est Dispensare. Nam Deus permittit Pec-
 catum, in quo non Dispensat. Ali-
 ter vero p̄mittere significat idem
 quod sinere impune operari malum,
 ut in Republica dicuntur aliqua
 peccata permitti; Et quando id fit
 ex decreto Legis, dicitur permis-
 sio esse Legis effectus. Illa vero non
 relaxat Legem, quandoquidem non
 excusat Culpar, quam propria Dis-
 pensatio tollit. Et ideo neque illa
 dicetur Dispensatio. A Dispensa-
 tion is more than a Permission or
 Toleration, (for 'tis all one, both
 as to the import of the word,
 and Suarez's constant way of
 using it) and a Permission proper-
 ly taken, and according to common
 use is not a Dispensation. For
 sometimes to permit signifies no
 other than voluntarily not to hin-
 der,

der, which is not to Dispense. For God does permit Sin in which he does not Dispense. Sometimes again to permit signifies the same as to suffer the doing of an Evil with Impunity, as some Sins are said to be permitted in a Commonwealth. And when this is done by virtue of a legal Decree, then such a Permission is said to be the Effect of the Law. But this does not relax the Law, in as much as it does not excuse the Fault, which a proper Dispensation takes away. And therefore neither may this be said to be a Dispensation.

Suarez here distinguishes of a twofold Sufferance or Toleration; the Suffering an Evil to be done, or the bare not hindering the doing of it; and the Suffering it to be done with Impunity. And both these he sets

B below

below a Dispensation. The former kind of Toleration is the least that can be imagin'd, and indeed is so little as to be consistent with the strictest Kind or State of Government that is. All Governours do Tolerate at this rate, even God himself, who, as he says, *does permit or not hinder the committing of Sin.* The latter kind of Toleration is a degree above the former, as adding to it the doing with *Impunity.* And this indeed is too much to consist with the Strictness of Government, and therefore is not used in every Kind or State of it. Neither God nor Man do always Tolerate after this manner. For indeed it is a Relaxation of the Government, not as to the *Legislative*, but only as to the *Executive* part of it.

But

But though it be so much greater than the former sort of *Toleration*, yet it is also at the same time as much less than a *Dispensation*, in that a Dispensation does, in some respects, wholly suspend even the very Obligation of the Law, which a Tolerance does not so much as Relax, or any way Affect, but only Suspends the Penalty annex'd to the Transgression of it. So that though it be some Mitigation of the *Government*, and thereby exceeds a bare simple permission, yet it is no abatement of the *Law*, and therein falls short of a Dispensation.

The short of this matter is, All Permission may be consider'd either as of *Right*, or of *Fact*. Permission of Right is the same with a Dispensation, which dis-

arms the Law of its present Authority and Obligation , and makes it no Fault to do otherwise than is Commanded . Permission of Fact is twofold , either the bare suffering or not hindering the doing of an Evil , which may be call'd a Simple Permission : Or the suffering it to be done without Punishment , which is a *Toleration* . This latter Permission , though it be greater than the immediately preceding , yet 'tis as much less than the First , as reaching no higher than the Sanction , whereas that puts a present restraint upon the very Power of the Law .

This I take to be a true and distinct Idea of a Toleration , both as it is in its own proper nature , and as it stands in relation to other Changes that concern

cern the Administration of the Law. From whose Authority and Obligation it does not in the least diminish, but only lays a restraint upon the Execution of it. It does not devest the Law of any part of her Sovereignty, but only *Sheathes* up her *Sword* of Discipline; it does not Silence her *Voice*, but only Stays her *Hand*. In short, there is nothing more nor less in it than a Suspension of the Penal part of the Law.

This is all that it *can* do, and perhaps more than it *ought*. For there may be good reason to question, whether there ought to be any such thing as a Toleration or no? Whether it be not more than either the Church or the State can rightfully grant? For not to insist upon that Trust

which seems to be repos'd in them, to defend and secure both Unity of Faith and Unity of Worship ; if there ought to be a Toleration, then there ought to be no Establishment, (for to what purpose is an Establishment, whose Order must never be executed ?) But 'tis a strange thing if Human Laws may not be allow'd to oblige to the same thing to which the Divine Law is acknowledg'd to Oblige, that is, to Ecclesiastick Unity. Which because required by the Divine Law, ought also to be required by Human Laws , and consequently there ought to be no such thing as a Toleration. However this, in the mean time it may be no great venture to say, that those who contend for an Absolute Toleration, seem guilty
of

of a Contradictory, Self-inconsistent Proposal, and not rightly to understand what they would have. For if they will have Liberty of Conscience granted to any, then certainly the Supreme Authority of the Nation must be allow'd this Liberty. And then let us suppose (as well we may) that he thinks himself Obliged in Duty and Conscience to use the Power that is in his hands, to suppress all Religions but the true one, that is, all but that which he himself conceives to be true. And what then will become of the Toleration ? Nor ought the Magistrate to be blamed for so doing. For having once allow'd in general that every Man ought to have Liberty of Conscience, you ought not to think it hard that the Magi-

strate assumes this Liberty of acting according to his Conscience, though by doing so he restrains and hinders yours, as he certainly will in case he make use of the same Liberty. So that Absolute and Universal Liberty of Conscience is a down-right contradictory, inconsistent Supposition ; which one Consideration, by the way, is sufficient to overthrow all that a Late Author has pleaded in its behalf.

But I shall pursue this no further, as being only a Digression from my present Concern. What I stand for now, is this, That a Toleration, when it is granted, implies no more than only a Removal of such Penalties as the Law would otherwise inflict upon those who Disobey it. That it does not either Abrogate, or Suspend,

Suspend, or Dispense with the Law, but only bridles and reins up the Execution of it. All which is to be understood with the fore-mention'd Condition, where there is an Establish'd National Church.

And this (notwithstanding the Toleration) is the present Case in *England*, where there is a Church Establish'd by the Law of the Land, and invested with several Temporal as well as Ecclesiastical Rights and Priviledges, where the Publick Liturgy stands Authorized by several Acts of Parliament, where Articles of Religion, and Constitutions and Canons Ecclesiastical are also Confirm'd by the same Authority, where the Acts of Uniformity remain unrepeal'd as before, and where even the Dissenters

themselves are all required to pay Tithes to the Publick and Legally appointed Ministry. Which is also a plain and certain Argument that they are required to attend upon it, and conform to it. For is it imaginable that the Laws should oblige them to Contribuite their part to the Support and Maintenance of that Worship, to which they do not enjoyn them to Conform? This would be against the very Supposition of an Establishment, and would place the Church and the Conventicle upon an equal ground indeed, that is, it would make neither of them *Establisht*, but both only *Tolerated*. But they confess the Church to be *Establisht*, and so indeed she is as much as ever; and therefore the only Change made

made by the Toleration is, that the Penal part of the Law is, for the present, laid aside. As for the Preceptive, that stands where it did, and obliges under Sin, though not under Civil Penalty.

And if so, then those who now divide from this Church establisht by Law, which Law does also require their Communion with it, are true and proper Transgressors against the Law; and if they do it Causelessly, are also guilty of the Breach of Church-Unity, that is, of *Schism*, notwithstanding any Publick Order for the not inflicting the Punishment otherwise due to them for so transgressing. This cannot excuse them either from Disobedience to the State, or from Schism in the Church, with whose Establishment

blishment they are still obliged to Conform as far as Lawfully they may, though not accountable to the Law for their Non-conformity. Thus the *Jews* were justly taxable with disobedience to their Law in the matter of Arbitrary Divorce, though for some prudential Reasons tolerated in the practice of it by *Moses* their Chief Magistrate. The Effect of which Toleration (as our Saviour himself expounds it) was not *Innocency*, but only *Impunity*.

Against what has been hitherto discours'd, I know but of one Objection that a Man would not be Ashamed to Urge, or Impertinent to Answer, or that deserves the Expence of Ink and Paper. But there is another which I must first take in my way,

way, because 'tis thrown upon me, and is very loud and importunate for Satisfaction, which must therefore, I think, be given it for quietness sake.

In the first place then it is pleaded, that this is no *Ordinary Toleration*. That it is not a bare Supine Neglect to animadvert, a kind of Drowsie fit, or Nodding of the Government, no, nor a design'd and deliberate Connivance only, nor yet a private act of Indulgence declared by the Will and in the Name of the Prince alone; But that 'tis an Indulgence granted and settled by an Act of the whole Legislative, by the joint Concurrence of King and Parliament; that 'tis a Toleration by *Law*, by the same Law upon which the Church it self is erected, and by which it stands

stands. This is the Common Popular Objection, and there is not a Woman, or a Shopkeeper, but what is Big with it.

Now I grant the Dissenters that they have a Toleration settled by Law, and that therefore this is no Ordinary Toleration, and I know they are not a little puffed up with it. And by the way, *Sir*, 'twould make even a very grave Man smile to see how those Men who have been hitherto such Despisers and Vilifiers of a *National Establishment*, are now lifted up with the Conceit of a *National Liberty*. Of what advantage this may prove either to themselves, or to the Nation, or to the general Interest of Religion, I leave to wiser Heads to Conjecture, and to Time to shew ; but in the mean while I fancy this

their

their Plea, from the Extraordinariness of the Toleration, will do 'em but little service. For 'tis the unhappines of this Objection that it proceeds upon a wrong State of the Question. The Question is not concerning either the Kind or the Degree of the *Authority*, but concerning the Nature and the Extent of the *Grant*; not *by* what they are Authorized, but *to* what, whether to act Allowedly and with Innocence, or only Unrestrainedly and with Impunity? And to what purpose then do they insist upon the Greatness of the Authority?

If it be said, that this is no Mistaking the State of the Question, but an Inferring the thing denied, *viz.* Liberty of Allowance, from the Greatness of that Au-

Authority whereby this Solemn Toleration is granted: I answer, that then the Inference is grossly False and Illogical. 'Tis certainly a very pleasant way of Arguing, to infer the greater extent of the Grant from the Greatness of the Authority whereby it is made, as if a Lesser Grant might not be the Effect of a greater Authority.

Whether *Moses* acted by Divine Commission, or only as a Chief Magistrate upon Reasons of State in the Toleration of Arbitrary Divorce among the Jews, I shall not Dispute: This for ever is certain, that such a Toleration granted by God himself, would have been of much greater Authority than if granted only by *Moses*. But would it therefore have been to any higher Purpose

pose or greater Effect? No, that does not follow. *Moses* his Toleration reacht as far as Impunity, and a Divine one would have reacht no further. It would not have produc'd any *other* Effect, though perhaps it might have been a further Security and Establishment of the *same*. Though the Authority it self be Greater, yet the thing granted by that Authority may be the same that is otherwise granted by a Lesser; and if there be nothing else in the Business but only a greater Degree of Authority, it must and will be so. And thus 'tis in the Case before us. Though a Toleration by Act of Parliament be of greater Authority than a Toleration by the sole Will and Pleasure of the Prince, yet it is not to a greater Effect. And though

though the Dissenters have now
as much Authority for their Li-
berty, as the Church has for her
Establishment, yet 'tis only for
Liberty, that is, (as appears by
what has been said) *Impunity*.

When therefore 'tis pleaded
that this is no Ordinary Tolera-
tion, 'tis plain that there is a
double meaning in the Proposi-
tion. It may be understood ei-
ther as to the *Authority* of it, or
as to the *Effect* of it. If as to the
Authority, that indeed is true,
but nothing at all to the purpose,
as being beside the State of the
Question. If as to the *Effect* ;
that I affirm and have shewn to
be false. The *Effect* of this Tol-
eration reaches not an Inch fur-
ther than that of a less Solemn
One would have done ; perhaps,
considering some particular Re-
strictions

strictions whereby it is qualify'd, not so far. But to be sure it can extend no further, the greatest Effect of both being only Exemption from Punishment. So that you see this Objection is quite disarm'd, and indeed is too weak and empty to abide any longer Trial.

The truth is, I should not have kept it so long under Examination, were it not for the Popularity of it, and that great Noise that is mde about it. 'Tis not its *Moment*, but its *Importunity* that has procured it so full a Hearing. For indeed in it self it is weak and silly enough. Though yet I think it is the Best by much that is used, or that the Men I am dealing with have Invention enough to urge. But I will be so kind to them, for once, as to



put

put a Better Objection into their hands ; and if they think I do not propose it enough to their advantage, let them take it and manage it themselves.

You may please to remember, *Sir*, that a little further backward, speaking of the Distinction that is between the Sanction of the Law, and the Law it self; I said 'twas impossible that a Change in the One should at all affect the Other, unless there was a Connexion between them, arising either from the declared Will of the Legislative, or from the Nature of the thing it self.

Now in this I may seem to have laid a Foundation for a very strong Objection. For it may be pleaded that there *is* such a Connexion not from the Will of the Legisltative declaring such

a dependence between the Law and the Sanction, that upon the Ceasing of one, the other also shall Cease : This I suppose, will not be pretended, nor do I see any room for such a Pretence. But from the very Nature of the thing it self so requiring.

For it may be said, that although the Sanction of the Law be, as we have shewn, a Distinct thing from the Law it self, that is, the Penal part from the Preceptive, yet it is Essential and Necessary to the Obligation of it. And therefore that which removes the Sanction, does also by Consequence remove the Obligation of the Law ; And consequently since a Toleration (as is acknowledg'd) removes the Sanction of the Law, it does also by Virtue of that remove the **Oblig.**

Obligation of it, the Latter not being able to stand without the Former, any more than the Body is to live without the Soul.

I confess if the Sanction of the Law were necessary to the Obligation of it, then notwithstanding all the real Difference that is between them, that which takes away the Sanction, would also unhinge the Obligation, as that which takes away the Soul destroys also the Life of the Body ; and consequently the Toleration, by taking away the Sanction, must of necessity be allow'd to take away the Obligation too. In this there can be no great Difficulty, or Dispute. All the Question will be concerning the *Leading Proposition* whether the Sanction of the Law be necessary to the Life and Obligation

bligation of it. Here will be the last Pinch of the Difficulty, as will be better discern'd, if we Analyze the Argument, by Casting it into a Logical Form and Order ; wherein it will appear thus :

If the Toleration takes away the Sanction of the Law, it also takes away the Obligation of it.

But according to you it takes away the Sanction of the Law ; Therefore it takes away the Obligation.

The Consequence is denied, and thus proved ;

That which takes away the Sanction, takes away the Obligation.

Therefore if the Toleration takes away the Sanction, it also takes away the Obligation.

The

The Antecedent is denied, and thus proved :

If the Sanction of the Law be Necessary to the Obligation of it, then that which takes away the Sanction, takes away the Obligation.

But the Sanction is necessary, &c.

Here the Consequence is granted, but the Minor is denied ;

Which was the Head and Knot of the Objection, and whose Truth comes now to be Examin'd.

It is a Question among Moralists, Civilians, and Casuistical Divines Utrum Sanctio Pœnalis sit de Essentia sive de Ratione Legis ? Whether a Penal Sanction be of the Essence or Reason of the Law ? By which, I suppose, they do not mean, as the terms seem

to

to import, whether it be of the inward Form and Constitution of the Law, (for 'tis plain that it is not ;) but whether it be a Necessary Condition to the Obligation of it, the same thing that is now under Consideration.

I do not remember that *Suarez* takes any notice of this matter, which I cannot but wonder at in a Person that undertakes a just and adequate Account of the Nature of Laws, and who often descends to the discussion of Points of much lesser moment. Though what his Judgment was in the Case, may be sufficiently Collected from what he discourses concerning the several ways whereby Laws may suffer a Change. Among which I do not find that he has any mention of the

Lib. I. c. 20.
p. 53.

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Removal of the Penalty, which he could not have omitted, if he had thought that the Sanction of the Law was necessary to its Obligation. For then the Removal of it would have caus'd either an Abbrogation or a Suspension in the Law, as is urg'd in the Objection. But the Question is not so overlookt by Others ; and they generally answer in the Negative, that the Sanction is not Necessary to the Obligation of the Law. I say *generally*. For I think there are some that say that is necessary, and that looks upon the Law as but a *dead Letter*, a Body without a Soul, if it have no Sanction. Nay some, perhaps, will advance one step higher, and say that the Sanction is not only necessary to the Obligation of a Law,

Law, but that it derives its whole Obligation from the Sanction.

That the latter of these Aassertions is not true, is, I think, as certain as I would desire any thing to be. For I consider, that if the Law derived its whole Obligation from the Sanction, then these grand Absurdities (not to mention any other) would unavoidably follow.

First, That any Law would Oblige, let the Matter of it be never so wicked and unjust, or the Authority whereby 'tis made never so incompetent, provided it were arm'd with a sufficient Sanction. For the Sanction being supposed to be the only Fountain of Obligation, that being present, and in such measure as is requisite, the Obligation must needs follow, as every

Effect does upon the Being of its intire and adequate Cause.

Secondly, it would also follow, that no Law could oblige *constantly*, unless it were backt with the greatest Penalty that is absolutely possible. For since the Law is supposed to have all its Obligation from the Penalty, then where there is the greater Penalty, there will be the greater Obligation ; and consequently if the Case should so happen, that a Man should threaten me if I do *not* transgress the Law, with a greater Unishment than the Law does in case I *do*, I am then discharged from the Obligation of the Law, (as being under a greater Obligation) and may innocently transgress it, though it were the Law even of God himself. Which at one blow would

strike

strike off the *constant* Obligation of the whole Jewish Law. For the Law of the Jews being ratify'd and confirm'd to them only by Temporal Penalties and those not always the greatest, even of the same Kind and Order ; if a Jew should happen to be tempted to transgress the Law (as he easily might) by a greater Punishment than the Law would inflict upon him for transgressing it, upon this supposition, that the Law receives its Obligation from the Penalty, it would follow, that he would be released from the Obligation of his Law, which I think is Absurd enough. But to this I further add :

Thirdly. If the Law be to receive its Obligation from the Sanction then we must suppose it therefore to Oblige, because

it makes it Reasonable or Eligible for a Man to do so or so, that he may avoid such a Punishment, for that is all the engagement to action that the Sanction can be supposed to add. But if this be all, this is not to Oblige in *Duty*, but only in *Point of Prudence*, which indeed is not properly to Oblige at all, since otherwise all rational *Inducements* would be *Laws*. Indeed the Proposal of a Penalty may be a good Ground of Persuasion why a Man should do so as the Law directs. But it can be no more, it cannot lay an Obligation upon the Conscience, or make it Sin to do otherwise, It may move, determine, and in some Cases secure the *Choice*, but it cannot Oblige the *Will*.

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To say therefore that the Law Obliges by and from the Sanction, is in effect to say that it does not Oblige at all, since then it could Oblige only by way of Persuasion and rational Inducement, which indeed is not strictly and properly to Oblige. The truth is, upon this Supposition the most Excellent Law of the most Sacred Authority in the World would Oblige no otherwise than the Demand of a Thief upon the Highway. The Thief bids me Deliver, or he'll Pistol me. The Law bids me do thus, or I shall be Punish'd. I yield up my *Money* to the *Thief*, to avoid being Pistol'd ; and I yield my *Obedience* to the *Law*, to avoid being Punish'd. 'Tis possible here that the *Motive* of Action in both Cases may be the same, viz. The

avoiding of Evil. But I hope no body will be so Gross as to say, that the *Obligation* in both Cases is alike too; that the Law Obliges no otherwise than the Command of a Thief when he comes to Rob me. And yet this must be said, if it be true, that the Law has its Obligation from the Sanction; for then 'tis plain, that all its Obligation comes to this, That it makes it reasonable and eligible for me to do such an Action to avoid such an Evil, and so does the *Thief*.

Fourthly, If the Law Obliges purely in Virtue of the Sanction, then 'twill follow, that the Law will Oblige no further than the Sanction reaches; Consequently it will not Oblige the Supreme Magistrate, who is acknowledged not to be Subject to the Sanction
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of the Law. But this is more than the greatest Sticklers for Prerogative will allow, and indeed is against the general Sense of the greatest Masters of Law, whether Common or Civil, who generally yield the Supreme Magistrate to be under the *Directive*, though not under the *Coercive* Power of the Law. And if so, then the Preceptive does not Oblige by Virtue of the Coercive, since 'tis allow'd to Oblige where the Coercive does not reach.

Fifthly, This *Hypothesis* of the Law's receiving its Obligation from the Sanction, will, in the Consequence of it, make all Laws *purely Penal*, that is, such as do not oblige Absolutely, to the Fact, but only Conditionally, either to the Fact or to the Pe-

nalty ; and which therefore are equally satisfy'd either by doing what is Express'd, or by suffering what is Intail'd upon the Omission of it. — For if the Law be supposed to Oblige by Virtue of the Penalty which it proposes, then its Obligation comes to this, That I must do such a thing, because otherwise I must suffer such a Punishment ; which is as much as to say, that if I do not such a thing, I must suffer such a Punishment ; which will again at last be resolv'd into this, that either I must do so, or suffer so ; which though it Obliges me *Disjunctively*, leaves me at full Liberty as to the *Determination* of my Choice. Which expresses the true Form and Nature of a *pure penal Law*. But I suppose it will not be said that all

all Laws are purely Penal. For then there would be no Sin but only where the Penalty is declined or resisted ; the Consequence of which again would be, that all the Sin that is in the World would only be against *Human* Laws ; and that there would be no such thing as Sinning against God, because the *Divine* Justice can neither be evaded nor resisted. Which is a Consequence that would make strange Alterations, and introduce as strange Confusions in the System of the Moral and Intellectual World.

Sixthly and Lastly, If the Obligation of the Law proceeded from the Sanction, then 'twould follow, that I am therefore Obliged to do, because I must Suffer for not doing : But this is so far from being true, that the *Reverfe*
of

of it is so. For I must therefore Suffer for not doing, because I was Obliged to do. For I must Suffer, because I Sinn'd, otherwise my Suffering would be unjust. And I could not Sin if I were not under an Obligation; which being thus Pre-supposed and Antecedent to the Necessity of undergoing the Penalty, (which is what I call the Sanction) cannot possibly be founded upon it or proceed from it.

This last Argument proves not only that the Law does not derive its *whole* Obligation from the Sanction, but also that no *Part* or Degree of it is thence derived. For if the whole Obligation be (as is supposed) Antecedent to the Penalty, then 'tis plain that no part of it is or can be derived from it. To which I fur-

further add, that the End of the Sanction is to move and engage Men to pay that Obedience to the Law which they owe. 'Tis indeed one of the forcible and violent ways of recovering a *Debt*, a Debt which Men owe to the Law, and which, if they did not owe it, could not be justly exacted from them under a Penalty. Here then is Duty and Obligation supposed, (in Order of Nature at least) as Antecedent to the Sanction, and to which the Sanction is to serve as a *Means* to the *End*. And therefore 'tis most certain (if there be any thing so in the Measures of Reasoning) that the Law does not derive its Obligation, or any Part or Degree of it from the Sanction. And this I take to be Virtually at least contain'd in those.

those well-known Words of the Apostle, *Wherfore ye must needs be Subject, not only for Wrath, but also for Conscience sake*, Rom. 13. There is, I know, some Dispute concerning the *Meaning*, and concerning the *Extent* of the former Clause ; but whatever be meant by Subjection here, and how far soever it is to extend, this in the mean time is certain, that this Subjection, whatever it be, is by the Apostle press'd from a double Principle, *Wrath* and *Conscience*, which he plainly distinguishes one from another, as two different Grounds and Inducements to Subjection. Ye must needs be subject not only for *Wrath*, but also for *Conscience*; that is, not only to avoid Punishment, but also out of a Sense of Duty and Obligation. Which being

being here made not only a distinct, but a further degree of Argument for Subjection, 'tis plain that in the judgment of the Apostle the Obligation of the Law is not from the Sanction; because if so, he need only have said, *Ye must be subject for Wrath*, which would have been sufficient, as including the other. But whereas he makes a Contradistinction between them, 'tis evident that he that is subject only for Wrath, is not subject for Conscience; and consequently that Obligation in Conscience does not proceed from Wrath, but from some other Principle.

If it be then demanded, Whence does the Law receive its Obligation? I answer first, that 'tis enough for my present purpose to have shewn that it does not

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receive it from the *Sanction*. But if a more positive Answer must me given, I say that the Law has its Obligation from the Authority of the Law-giver, who by vertue of his Authority has a Right to to be Obey'd, and to exact Obedience by Punishments in all his just Commands.

And this they will at length be driven to acknowledge, who derive the Obligation of the Law from the Sanction. For when they say that the Law obliges by and from the Sanction, they must be understood to mean if their Sense be drawn out more at length, that the Law obliges me to do so, because it obliges me to suffer for not doing so: But pray how comes the Law to oblige me to the Latter, to *suffer for not doing so*? Is this by ver-

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tue of any other Sanction ? But so we might run on to Infinity. It must be therefore by something else. And what should that be but the Authority of the Law-giver? And if this be thought sufficient to Authorize the Sanction, why should it not also Authorize the Law ?

If it be further askt, whence has the Law-giver his Authority ? I answer, If he be a Creature, he has it from God whom I suppose to be the sole Fountain of all Power. But if the Law-giver be God, he has it Originally and Independently in himself. But whether it be by the mere *Super-eminency* of his *Nature*, as some say, or by the *Benefit* of *Creation*, as others, let them dispute that abound with more leisure than I do, and want better employment. But

But though the Sanction does not give the Law its Obligation, or any part of it, may it not however be *necessary* to it? Yes, if made so by the Legislator (as I said before) Establishing such a Connexion between them, that upon the Ceasing of the One, the Other also shall cease. But not in any wise from the Nature of the thing. For if it be of it self Necessary, it must either be as a *Cause*, or as a *Condition*. That it is not Necessary as a Cause, we have sufficiently proved already, by shewing that it has no part in effecting or producing the Obligation of the Law. If therefore it be Necessary, it must be Necessary as a Condition. But that it is not, I will now briefly shew.

By

By a *Condition* I understand that, which tho' it has no Causal influence upon the Effect, yet it so determines the Efficient Cause to act, as that without it it will not act. As for instance, the opening of a Window, though it be not the Cause of inlightning the Room, (for it does Efficiently inlighten it,) yet 'tis the Condition of it, as being that without which the Sun will not inlighten it. But to come somewhat nearer home, the Promulgation of a Law, though it be not the Efficient Cause of its Obligation, yet it is the Condition of it, as being that without which the Law will not oblige. Now the Question is Whether the Sanction of the Law be in this sense necessary to the Obligation of it ?

To

To which I answer, By no means. For since the Obligation of the Law is supposed to owe its Birth not to the Sanction of it, but to other Causes, (which has been proved already) there can be no manner of reason pretended why the Sanction would be a Condition necessary to the actual obliging of it, but only as it may be esteemed a *Sign* that such a Proposition is the Will of the Legislator. For the Law having its whole and full Authority within its self independently on the Sanction needs only a *publick Sign* that 'tis indeed the Will of such a Power to make it actually Obliging. If therefore the Sanction be necessary, it must be necessary as a *Sign*. But that end being already sufficiently answer'd and satisfied by

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the Promulgation of the Law, it cannot pretend to any such necessity, and therefore to none at all. And accordingly we see, that even a solemn Promulgation it self when it ceases to be necessary as a *Sign*, ceases absolutely to be necessary, as appears in the Instance of the Law of Nature; which because it may be and is otherwise known, than by a solemn Publication of it, renders that Circumstance wholly unnecessary.

The sum is, if the Sanction be necessary, it is necessary as a Publick Sign, that being the only thing supposed to be further wanting, where the Law is otherwise sufficiently Authentick. But it is not necessary on that Account, because of the Promulgation, which fully and directly serves

serves to that End. And therefore it is not at all necessary.

But may not the Sanction be necessary as a Sign, where the Law is *not* promulgated? To this I answer, first, That the Fate of the present Cause is not concern'd in the issue of this Question, our Laws being sufficiently promulgated. But suppose it were concern'd, it need fear no danger from it. For the Question proceeds upon a contradictory Supposition. It supposes the Law to be promulgated and not promulgated at the same time. For if the Sanction be necessary as a Sign, then it must make the first discovery of the Law, which till then must not be supposed to be known. And yet it must too, and that before the Sanction can pretend to be

a Sign. For the Sanction can-
not pretend to that Office till 'tis
known ; and it cannot be known
till after the Law is known. For
to know the Sanction, is to know
that such a Penalty is by the
Law annexed to such an Action,
which presupposes the Law to
be known. And how then can
the Sanction be necessary as a
Sign, where the Law is not pro-
mulgated ? The very Supposition
implies a Contradiction. Whence
I further conclude, That 'tis im-
possible that a Sanction should
ever be necessary as a Sign to the
Obligation of the Law ; which
as it receiv'd not its Obligation
from it, so it may and will ob-
lige without it, since from what
has been discours'd, it clearly ap-
pears that it is no way necessary
to the Obligation of the Law,
either

either as a *Cause*, or as a *Condition*.

I say to the *Obligation* of it. For I do not deny but that a Sanction is very necessary to the *Inforcement*, and better Success of the Law ; and that therefore 'tis very expedient that all Laws should have their Sanctions ; partly that by them the greatness of the Obligation may be rated and estimated (it being the general Prudence of Law-givers to annex greater Penalties to more concerning and important Precepts) and partly that by them Men might be the more easily and securely contain'd within the Limits of their Duty ; which without some Penal Restraint every little appearance of Interest would tempt them to transgress.

And

And yet even this is only an *Accidental Necessity*, introduc'd by the badness of the World. For were Men as they shou'd be, *Wise and Good* (which till the *Millennium* I despair to see) they would discern and be satisfy'd of the Reason and Equity of the Law: and that alone would be a sufficient motive to Order and Obedience. But when they are either so stupid as not to see the good end of the Law, or so profligate as not to regard it, then comes in this Expedient of the Sanction, arming the Laws with Penalties whereby they may be inable to revenge themselves upon those unconsidering disingenous Persons that do them violence.

And indeed, considering the great and general Brutishnes and

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Degeneracy of Men, how very alienated they are, not only from the *Life of God*, but even from that of *Natural Reason* too, 'tis very fit it should always be thus; and that all Laws, as well as those of *Mount Sinai*, should have their *Thundrings* and *Lightnings* to awake and alarm the Passions of such Men, who having lost their *Reasons*, have now nothing else to be taken hold by. But this, I say, only proves a Sanction necessary to the better Enforcement, and not to the Obligation of the Law.

To which if any one shall yet think it necessary, I shall only further press him with one sensible Absurdity, which perhaps may signifie more with some Apprehensions, than an abstracter way of reasoning : It is this, That

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upon this Supposition it would follow, that if God himself shou'd impose any Command upon a Creature, without annexing a Penalty in case of Disobedience, he would not be able with all his Authority and divine Supremacy, to oblige that Creature. And will any Man, *can* any Man have the Impudence or Impiety to say so.

Suppose that when God gave that Command to *Adam*, concerning the not eating of the Tree of Knowledge, he had not added that other Clause (which was the Sanction of the Law) *In the day that thou eatest thereof thou shalt surely die.* Will any Man presume to say that *Adam* would not have been obliged by that Divine Command, but might have tasted of the forbid-

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den Fruit without Sin ? He must have but very little reverence for the Majesty of God, and as little sense of the sacredness of his Authority, who would adventure to say so. And yet thus he must say if it be true (what is contended for by some) that the Sanction is necessary to the Obligation of the Law, for whatever is necessary to the Law as such, is necessary to every Law, whether Human or Divine. He therefore that holds the necessity of the Sanction to the Obligation of the Law, must say (if he will be consistent with himself) that the Command of the Great God would not have obliged *Adam* in case there had not been a Penalty annex'd to it. If he does not say so, I should smile at his *Inconsistency* ; and if he

he does, I should tremble for his *Impudence* and *Irreverence*.

But from a Supposition to descend to a Matter of Fact, what will such a one say to the *Tenth Commandment*, to which (as the Author of the *Christian Blessedness* has rightly observ'd) there was no Sanction annex'd, Will he say, that this Precept stood as a Cypher in the *Decalogue*, without passing any Obligation upon the *Jews*? This indeed would make much to the Honour of the Divine Wisdom; and represent God as a notable Law-giver, to Uther in a Law with so great Solemnity, and afterwards write it with his own Fingers upon Tables of Stone, when it could signify nothing but only the filling up of a Number. And yet this as absurd as

it is, he must say, that will make the Sanction necessary to the Obligation of the Law. If this be true, then the Tenth Commandment did not oblige. But it seems the great Apostle was of another Judgment, when he said, *I had not known Sin but by the Law: For I had not known Lust, except the Law had said, Thou shalt not Covet.* Rom. 7.7. It seems then that Lust was a Sin, and that by virtue of the Tenth Commandment which is here alledged by the Apostle to prove it so, which therefore did oblige, since without Obligation, as well as where there is no Law, there can be no Transgression. If it be said, that although the Tenth Commandment had no Temporal Sanction or Civil Penalty annex'd to it, like the other Nine,

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yet it had an *Eternal Sanction*, namely the Rewards and Punishments of a future Life, and that 'twas by virtue of that Sanction that it became Obligatory. I answer, that this could not be any Saction to the *Jews*, to whom it was not plainly reveal'd, though it be now to us Christians who have a full and express Revelation of it. A Sanction not Publish'd is no Sanction, as much as a Law not published is no Law; that is, to any real Effect or Purpose of Government. Indeed of the two, Publication seems more necessary to the Sanction than to the Law. For oftentimes the natural and inward Reasonableness of the thing may in a great measure supply the place of an *Express Law*, as it did for a long time before

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there was any express Law given; but now Punishment is a more Arbitrary thing, and that depends more upon the Will of the Governor ; and therefore unless there be an Express Declaration of it, as there will be no certain ground of expecting it, so there will be little or no influence derived upon Men from it. Which makes it absolutely necessary that the *Sanction* should be expressly declared and published, otherwise it will neither have the *Nature* nor the *Effect* of a *Sanction*.

It may indeed be the secret intent and purpose of the Law-giver to inflict such a Punishment for such an Offence ; and perhaps in some Cases this may be justly done without declaring beforehand that he will do

do so ; and this may be said to be the Sanction of the *Law-giver* ; but unless this be openly and plainly declared, it can be no Sanction of the Law, nor can it be a Sanction to those that are to be govern'd by it.

If God in his first solemn intercourse with *Adam*, after the Precept given him, had reserv'd that other Clause to himself, *In the day that thou eatest thou shalt die* ; or had communicated this his Will and Purpose to an *Angel*, or to any other Being, but not to *Adam* himself, could this have been said to have been in any respect a *Sanction to Adam*? No certainly, because not manifested to him whose concern it was. Nor for the same reason could the other be said to be a *Sanction to the Jews*.

It must therefore either be said
 That the Tenth Commandment
 did not oblige the *Jews* (which
 I think would be an intollerable
 Assertion, and withal expressly
 against the sense of the Apostle,
 declaring Lust to have been a
 Sin by virtue of that Command-
 ment) or that it obliged them
 without any Sanction, and con-
 sequently that the Sanction is
 not necessary to the Obligation
 of the Law : Which is the thing
 that I plead for.

If it be said, that though the
 Sanction be not necessary to the
 Obligation of the Law in gene-
 ral, nor consequently to the Ob-
 ligation of all Laws ; yet it must
 be necessary to the Obligation
 of *Human Laws*, because Human
 Laws do not oblige under Sin,
 and therefore must oblige only
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under Penalty, and that therefore such Laws without a Sanction will not oblige. I answer, first, That this Objection proves a great deal too much ; for upon this Supposition the Law would not oblige to Action even *with* a Sanction, for it would not so oblige at all. But we suppose here the Law to have such an Obligation , and say that the Sanction is not necessary to it, and consequently that the removal of the Sanction does not remove the Obligation. Our present Argument therefore is not concerned in this Objection. We are here enquiring what Alteration the Toleration has made in the state of things, by removing the Sanction of the Law, whether it has thereby removed the Obligation too ? We say it has not,

not, but that if the Law had any Obligation before, it has so still, because the Sanction is not necessary to it. But whether it had or no, belongs not to our present Consideration (which is only concerning the Effects of the Toleration) but to the *Absolute Merits* of the Cause.

But however, since it happens to come in my way, this I say further, That it is not at all necessary that Human Laws should be purely Penal, because they are *Human*, and consequently that 'tis not necessary that *all* Human Laws should be so. For when-ever they are purely Penal, 'tis acknowledged that they oblige to Punishment, otherwise they would oblige to nothing; which is the same as not to oblige at all, and consequently would be

be no Laws. But how come they to oblige to Punishment, but only by the Will and Intention of the Law-giver invested with competent Authority ? And if by that he could oblige to Punishment, then by the same, had he so pleased, he might have obliged to Action. For this is a most unquestionable Rule, That he who can oblige to Punishment, can also, if he pleases, oblige to Action ; nay much rather, it being a much greater thing to oblige to *Suffer*, than to oblige to *Do*.

Human Laws therefore are not necessarily to be supposed purely Penal, as they are Human, nor consequently ought all Human Laws to be so esteemed. 'Tis not from the different Authority of the *Law*, but from the different

rent Intention of the *Law-giver*,
 that any *Law* becomes *purely Penal*. 'Tis therefore by mere *Accident* that Human Laws are any of them purely Penal, and not from the Specifick Nature of the Laws themselves, which for any thing that is in their proper Natures may oblige in *Conscience*, as well as any other Laws. And that they do so oblige (unless where 'tis otherwise express'd or insinuated in the Form of the Law) is most certain, the Law of God requiring us to obey the Laws of Men, where they are not contrary to the Law of God. But I need prosecute this no further, since the Excellent Bishop *Sanderson* has given the World sufficient Satisfaction in this Point, in those judicious Discourses of his, *de Legum Humanarum*

*manarum Obligatione in Consci-
entia.*

If it be further urg'd (which I think is the last *Reserve* of this Objection) That the Removal of the Law does involve the Removal of the Sanction; and why then will it not hold as much the other way, that the removal of the Sanction should remove the Law? To this I answer, That there is a great Disparity in the Case: The Sanction is made purely for the sake of the Law, whom it is to guard and defend, and so serves to it as the *Means* does to the *End*; and consequently if the Law be abolish'd or suspended, &c. the Sanction must needs fall in proportion with it. But now the Law is not made for the sake of the Sanction, but for the good of

of those who are to be govern'd by it. And therefore though the removal of the Law removes the Sanction, yet it does not therefore follow that the removal of the Sanction should in like manner carry with it the removal of the Law. To which, after all I might add, That 'tis impossible that the whole Sanction of Human Laws should ever be removed. For since the Law of God requires Obedience to the Laws of Men where-ever it may be lawfully paid, and threatens those with the Punishments of *another Life*, who are disobedient to publick Order and Government in *this*, though the Human Sanction should be taken away, yet the Divine Sanction would still remain ; and as long as that does remain, the whole

Sanction

Sanction cannot be said to be removed. This I might say for a *Reserve*, and I do not see what Answer can be made to it ; but I think my Cause is otherwise so well grounded, that I need not insist upon this Plea.

From the whole Course of this Argument (which I hope has receiv'd no great damage by the management) it fully and clearly appears, that the Sanction of the Law is not only a thing really distinct from it, but also no way necessary to its Obligation, and therefore that the removing of the Sanction does not imply or involve the removal of the Law, and consequently that the Toleration by removing the Sanction does not remove, nor so much as interrupt the Obligation of the Law, to which the Sanction has

has been shewn to be not at all necessary. Which I think breaks the Neck of the Objection, and he had need be a very *skilful Artist* that shall *set it again.*

Well, but suppose (which you see is not the Case) that the Law which enjoyns Conformity to the Religion and Church establisht, were by the Toleration perfectly remov'd, and the Preceptive part of it taken away as well as the Penal ; yet neither upon this Supposition (which is indeed a very great Concession and Abatement) would a Toleration excuse those from Schism who would be guilty of it without it.

For Sir, these Men are to consider, if they have not already consider'd it, that we do not derive the Grounds of Obligation

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to Ecclesiastick Communion only from the Authority of the *Civil Law* (though that must be allow'd to add a considerable weight to the Obligation) but also and chiefly from that of the *Divine Law*; which I conceive to be as Positive and as Express in requiring Unity and Conformity of Worship, as in requiring any Religious Worship at all.

The necessity of this is by St. *Paul* press'd upon the *Ephesians*, Ephes. 4. 3, 4, 5, 6. from the Unity of that *Body* whereof they were Members, from the Unity of that *Spirit* which was to them the Common Principle of Life and Action, from the Unity of that *Hope* to which they were call'd, from the Unity of that *Lord* to whose Service they were all devoted, from the Unity

ty of that *Faith* which they all profess'd, from the Unity of that *Baptism*, whereby they were graft-ed into the Church of Christ; and lastly, from the Unity of that *God* who was the Father of them all, who was above all, and in them all. Every one of which Heads of Argument might justly deserve the Consideration of a particular Discourse, but that I am willing to suppose my Reader so apprehensive, as not to want to have things laid out to him more at large.

Accordingly the Christian Church is always represented by Figures that express the greatest Unity, not only between *that* and *Christ*, but also between *Fellow Christians*. This is said to be that One Body into which we are all Baptized by One Spi-rit,

rit, and which is said to be fitly joyn'd together and compacted. This is that Spiritual House built upon the Foundation of the Prophets and Apostles, Jesus Christ himself being the Corner Stone, in whom all the Building, fitly framed together, grows into an Holy Temple in the Lord. Tis represented also as one Flock, under one Shepherd Jesus Christ, whose last and most Solemn Prayer was for the Unity of the Church ; which must therefore be supposed to be highly agreeable to the Mind and Will of God , otherwise our Saviour would not have pray'd for it so earnestly and with such Solemnity. Tho' I question very much whether this Solemn Prayer of Christ will be fully heard and answer'd till the Glorious State

State of his *Millennial Reign* upon Earth. However in the mean time 'tis most certain, that 'tis the Great Duty of us all to endeavour after that State of Unity which our Saviour pray'd might be among his Disciples. Hence it is that Schism is Condemn'd as a Work of the Flesh, and those that Separate are said to be Sensual not having the Spirit; and Christians are admonish'd to mark and shun them that cause Divisions, and are withal Commanded to mind or think one and the same thing, *ποιεῖται ἀνταρρέστης*, to stand fast in one Spirit, with one Mind, to walk by the same Rule, to be joyn'd together in the same Mind, and in the same Judgment, and with one Mind and Mouth to glorifie God the Father, with a World

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World of Precepts and Exhortations to the same purpose, which every one may find that does but open the Bible.

Now what can all this signify? Nothing certainly less than this, That the Unity of the Church is so sacred a thing, that it ought to be preserv'd by all Lawful means, and that no Separation ought to be made in it without absolute and evident Necessity. In one word; that where 'tis Lawful to Communicate, there 'tis sinful to Separate. Which is more expressly deliver'd in that Apostolical Canon taken notice of by the Author of Christian Blessedness; *If it be possible, as much as lies in you, live peaceably with all Men.* This takes in the whole Latitude and Capacity of Society, the State as well

well as the *Church*; in both which, by vertue of this Precept, Peace and Unity is to be maintain'd as far as is *Possible*, and therefore without question as far as is *Lawful*. And if the Peace of the State is to be preserv'd as far as is possible, then certainly much more the Peace of the *Church*.

Since then the Scripture is both so frequent and so express, I might say also so earnest and passionate in inculcating the Necessity of preserving the Unity of the *Church*, and in Condemning all unnecessary disturbances of it; it is most certain that the Divine Law, without the Confirmation of the Civil, is a sufficient Obligation to Church Unity, where-ever it may Lawfully be held. Every Chri-

Christian Church that proposes Lawful terms of Communion has, by the Law God (though the Civil Law be silent in the case) an undoubted Right to the Conformity of all that are within the Pale of her Establishment, who, cannot with-hold it from her without incurring the Guilt of *Schism*, which, according to the general sense of the Christian World, is nothing else but an unnecessary Separation; and then is Separation unnecessary, when Communion is lawful. The Argument in Form is,

Whoever separates unnecessarily, is guilty of Schism :

But whoever separates where he may lawfully Communicate, separates unnecessarily ;

Therefore whoever separates where he may lawfully Communicate is guilty of Schism.

The Minor Proposition is plain by its *own* Light , since there can no Moral necessity be pretended for not doing what may Lawfully be done. And the Major Proposition is clear by the light of *Scripture*, which preses and enjoyns the Peace and Unity of the Church to the veray utmost degree of strictness, even as far as is *possible*. Whence the Conclusion necessarily follows, That whoever separates where he may lawfully Communicate, is guilty of *Schism*.

This is so clear and evident, that the most moderately affected in Point of Church-Unity and Conformity could never shut their Eyes against the Light of it,

it, though they endeavour'd to wink never so hard. Particularly Mr. *Hales*, a very Free, and for the most part, Judicious Writer, and one very remarkable for his *Moderation*, especially as to all Church-matters, and who writes of Schism with all the tenderness imaginable, handling it as if he were feeling the Edge of a Razor: And yet after all his Endeavours to reduce it into as narrow a compass as he could, by making as few guilty of it as might be, he could find nothing to justifie Separation only Sinfulness of Communion. As may appear from several Passages that Occur in this Tract of Schism. For, says he, p. 195. *For the further opening the Nature of Schism, something must be added by way of difference to distinguish it from*

necessary Separation ; and that is, that the Causes upon which Division is attempted, proceed not from Passion, or Distemper, or Ambition, or Avarice, or such other Ends as Humane Folly is apt to pursue, but from well-weigh'd and necessary Reasons ; and that, when all other Means have been tried, nothing will serve to save us from guilt of Conscience, but open Separation. So that Schism, if we would define it, is nothing else but an unnecessary Separation of Christians from that part of the visible Church of which they were once Members. Again, says he, Page 198. Unadvisedly and upon Fancy to break the Knot of Union between Man and Man, especially among Christians, upon whom, above all other kind of Men, the tye of Love and Communion does most especially rest,

rest, is a Crime hardly pardonable ; and that nothing Absolves a man from the guilt of it, but true and unpretended Conscience. Again, says he, Page 209. *What if those to whose care the execution of the Publick Service is committed do something unlawful, &c. yet for all this we may not separate, except we be constrain'd personally to bear a part our selves.* The Priests under Eli had so ill demean'd themselves about the daily Sacrifice, that the Scriptures tell us, they made it stink ; yet the People refused not to come to the Tabernacle, nor to bring their Sacrifice to the Priest. For in these Schisms which concern Fact, nothing can be a just Cause of refusal of Communion, but only to require the execution of some unlawful or suspected Act. Again, says he,

Page 215. *Why may I not go, if occasion require, to an Arian Church, so there be no Arianism exprest in their Liturgy?* And again, Lastly, Page 227, speaking of Conventicles, says he, *It evidently appears that all Meetings upon unnecessary occasion of Separation are to be so stiled; so that, in this sense, a Conventicle is nothing else but a Congregation of Schismaticks.*

From these and other like Passages any one may be satisfy'd that Mr. Hales, with all his Moderation, could not but see, that where Separation is not necessary, there Communion is; and that to depart from the Communion of a visible Establisht Church, with whom you may lawfully Communicate, is to be guilty of *Schism*. And so much seems

seems to be granted even by the Author of the Letter of Toleration, Page 86. who defines *schism* to be *an ill grounded Separation in Ecclesiastical Communion, made about things not necessary.*

Tis true indeed, by *things not necessary*, this Author means (as he afterwards explains himself) things not expressly contain'd in the Rule, making him a Schismatick that separates from a Church because that Church does not require what the Scripture does not. But this will come to one and the same thing. For why is he a Schismatick that makes a Separation from a Church, for not requiring more than is expressly contain'd in Scripture, but only because he might Communicate with that Church notwithstanding this her *frugality* and *re-*

servedness, and consequently his Separation was unnecessary ? This is the thing into which the Schism of such a Separatist must be at last resolv'd. And then for the same reason, why is not he as much a Schismatick that separates from a Church, that *does* require more than the Scripture expressly contains, provided it be not contrary to the Rule of Scripture, since with this Church he may also lawfully Communicate, and therefore has no Necessity for his Separation ? 'tis the *unnecessity* of the Separation that in both Cases make the Schism. So that this Notion of our Author, though at first sight it seems to offer somewhat New, resolves it self, at long run, into the Old Common Notion of Schism, which has all along obtain'd

tain'd in the Christian World.

Where-ever therefore there is no necessity of separating, there the Church has a Right to Communion, which to with-hold from her is Schism, or else there is no such thing as Schism in the World. This Right the Church of *Rome* had before her falling into her gross Corruptions, and this Right the Church of *England* and all other Churches have that are reform'd from them. And this Right every Lawfully Constituted Church has by vertue of the *Divine Law*, which is her Original *Charta*, and which of it self lays upon all Christians a sufficient Obligation to Church-Unity, though there should be no Civil Authority to back and inforce it.

For indeed, unless it were so, how could there be such a thing as the *Sign of Schism* in the Apostles Times, and in the more Primitive Ages of the Church? there was then no Civil Law to Oblige Christians to Church Communion; so far from this, that the Edge and Point of the Civil Sword was turn'd directly against it. The State and the Church then not only moved in two *Different*, but in two *Opposite* Spheres. And yet we find that in those early times the Sin of Schism was as much condemn'd, and Schismatical Persons as deeply branded as in any of the after Ages. Nay more indeed, because of the singularity and strangeness of the Crime. Punish'd indeed they could not so well be, for want of the Concurrence

currence of the **Civil Sword** ; which was not then in a *Christian* hand ; but they were censured and condemn'd, and according to the Apostle's Admonition, those were *mark'd* and *avoided* that caused Divisions.

And therefore though we should allow the Present Toleration to Silence the **Civil Law**, whereby Conformity is injoyn'd, (which yet from the Premises appears to be far otherwise) yet since the Divine Law requiring all possible Unity, stands uncancell'd, (for sure the Toleration won't be pretended to reach that, those that make Causeless and unnecessary Divisions, will still be guilty of Schism, notwithstanding the favour of the Toleration, which I am afraid will prove but an indif-

different Plea for Separation at the Last day to those that have no better.

What then, you'll say, is the Effect of a Toleration? Or what can be supposed to be the just and reasonable intent of it? I answer; As to the *Effect*, it cannot release at all from any preceding Obligation. It does not release so much as from the Obligation of the *Civil Law*, whose Penalty it only suspends, much less does it release from Obligation to the *Divine Law*, with which it has nothing to do, and upon which it has no manner of Effect. It does not therefore discharge any from Obligation to Conformity, who would not be discharged without it. All indeed are actually eased by it; that's an universal and indifferent

rent Effect, but none are discharged or unobliged.

Then as to the Intent of it, all that it can be reasonably intended for is to ease those *few* from Penalties, (for I doubt they are not *many*) who are so unhappy as really and sincerely to be persuaded in their Consciences that 'tis not Lawful for them to joyn in Communion with the Church of *England*. Though the Toleration does actually Ease all indifferently, yet 'tis for the Ease of such only that a Toleration can be justly or reasonably intended, whose Condition indeed would be as *pitiable*, as I am afraid it is *rare*,

But even here the Toleration has no other Effect than barely to *Ease* them. If they are withal releas'd from any Obligation, 'tis

'tis not by Vertue of the Toleration, but by Reason of something else, namely, their unhappy Judgment and Persuasion in thinking our Communion unlawful ; which however in it self false and erroneous, must be allow'd to bind in Conscience while 'tis their Misfortune to be under it. This is the thing that releases from Obligation, whenever there is any Releasement ; The Toleration only Eases them from suffering the Penalty of Nonconformity. And 'tis for *their* Ease only that it can be reasonably intended.

But as for those who are satisfy'd of the Lawfulness of Communicating with the Establish't Church, (who I fear make the greatest part of those that separate from it,) they are still obliged

ged under pain of Sin, though not of Civil Chastisement, to Communicate with it. And if they do not 'tis not a Toleration, or Act of Indulgence, though granted by the highest Power upon Earth, that can excuse them from the Sin of Schism, at least before God. Nor do such Men deserve the favour of a Toleration.

And now, *Sir*, from the Measures laid down, it plainly appears, that if the Separatists from the Church of *England* were guilty of Schism before the Toleration, (which, whether they were or no, depends upon other Grounds, and is not now to be disputed over again.) they are as much guilty of it now, there being no Change made by the Toleration as to the Preceptive, but only

only as to the Penal part of the Law. Which may suffice to clear the Author of *Christian Blessedness* of the first Imputation laid against him, that of a *false Charge*.

The two others will be more easily, and more briefly dispatch'd.

The next thing therefore for which our Author is blamed is the *Uncharitableness* of his Charge. This indeed is a heavy Censure, and ought to be well-grounded, or else it will recoil upon those that make it. But I think there has been that said upon the former Objection, that will scarce allow any room for this.

For if the Author's Charge was uncharitable, it must be either because of the *Matter* of it, or because of the *End* and *Design* of

of it. Not certainly upon the account of its Matter, because that appears to be *true*; for the proof of which, I appeal to the Reason and Argument of the preceding Discourse. And if they fix the Uncharitableness of it upon its End and Design, they themselves will bring their own Charity in question by judging so severely of the Intentions of the Author, which they cannot be supposed to be privy to.

For how can they pretend to know the Authors Thoughts and Designs? Did he ever Communicate his Intentions to them? Or will they Judge by *Inspiration*, and pretend to the Gift of Divining and Conjecturing, as well as of *Praying* by the *Spirit*?

I that am intimately acquainted with the Author, and know
more

more of his Principles and Sentiments, Thoughts and Intentions, than any of those that take the Liberty of Censuring and Condemning them, do verily believe that in his continuing the Charge of Schism upon the Separatists, he intended nothing against Charity, but rather the greatest Charity and Good-will.

I know 'tis his most deliberate and well-assured Sense, that if ever there was or can be such a Sin as Schism in the Church of Christ, they of the Present Separation are *truly* and *deeply* guilty of it. And since it came fairly *in his way*, he thought himself obliged in Charity to reprehend them for it; not knowing what good effect a Candid and Rational Admonition might have upon those (for he had Charity enough

enough to hope there might be
some such) who were not quite
 over-run with the Humour of
 Opposition, nor arm'd Cap-a-pee
 with Prejudice. And being withal
 in the mean time assured of the
 Duty of Fraternal Correption ;
 and how much that concerns
 every Christian (as being the
 Duty even of a Jew) *in any wise*
to rebuke his Brother, and not to
suffer Sin to lie upon him. Lev. 19. 17

And, if I may have leave to
 divert a little from the Defence
 of my Friend to my own Justifi-
 cation, I think I may safely say
 that I am now in Prosecution of
 the very same *Charitable Design.*
 For though I acknowledge my
 self to have had some regard to
 the Reputation of my Friend,
 which I think has suffer'd with-
 out Cause ; and which to Assert
 and

and Vindicate, I take to be a very Innocent Design ; yet I can say (as far as I know the inward Springs of my own Actions) that the Principal End and Aim of this Undertaking was to further that great and dear Interest of Christianity for which our departing Saviour so earnestly and so solemnly pray'd to his Father, the Interest of *Ecclesiastick Unity*. To further this, I say, is my main Design both by *awakening* the Consciences of those who by the Favour of the Government striking in with their own Natural Humour of Contradiction, may be tempted against the inward Sense and Light of their Minds to transgress against the great Christian Obligation to Publick Order and Unity of Worship, and by *undeceiving* and *dis-*

disabusing others, who by the Impunity of the present Toleration may be so far imposed upon us as to fancy themselves releas'd from any such Obligation. Both which, I think, are very Good, very Charitable, and very Christian Designs.

But to return : I think, *Sir*, there appears now to be as little reason for taxing our Author with *Uncharity* as with *Error*. For his own part, I believe he is Conscious to himself of neither. But if he is Guilty, I dare say he would be glad to be Convinc'd, that so he might *Rectifie* the One, and *Repent* of the Other. For the present he thinks there is so little occasion for either, that if he had not only Charg'd our Separatists with Schism, but with the most unjust and unreasona-
ble

ble Schism that ever was made in the Christian Church, he thinks it would have been no Slander. And he has Commission'd me to say that he is ready against any Opposer to make it good.

But tho' the Author's Charge was neither False, nor Uncharitable, yet was it something *Unseasonable*? So indeed some say, who say neither of the other. Nor is this an inconsiderable Exception, if true. For as every thing is Beautiful in its Season, so is Season the Beauty of every thing, and there is nothing Beautiful out of it. Actions Materially good, and wherein we mean well, are oftentimes utterly spoil'd merely by being *Mis-timed*. But why, I pray, was this Charge so unseasonable? What, because the Separation was

was grown very wide, and by reason of the relaxation of the Government growing still every day wider ; because some were invited to it (as they are to other Sins) by Impunity, and others began to make that a Plea for its Lawfulness ; because it began to set up for one of the *Court-fashions*, and was growing to be not only a Priviledge of the Saint, but the Accomplishment of the Gentleman ; because some used their Liberty as a Cloak for their Maliciousness, and almost all as an Opportunity to serve the Interest of their Cause ; because, lastly, that Church and State which were so lately rescued from the Jaws of Popery, were now in as Critical a point of Danger from the Incroachments of the Separation ; was it there-

therefore out of *season* to Charge the Separatists with Schism ? Now I always thought that the most proper Season to admonish Men of their faults was when they were most Rife and Epidemical, and when they had most Temptations and Opportunities of committing them ; and when the Commission of them would threaten the greatest Danger and Mischief. This has been generally thought the most proper Season of Admonition by all wise Men in all other Matters, and why not in this ? 'Tis the necessity of Admonition that at any time makes it seasonable ; and then there is most need of it, when the Manners and Ways of Men are most disorderly and irregular. The more corrupt therefore and degenerate the Age, the more

more seasonable is the Reproof. And indeed, if the general prevalency and fashionableness of Vice be enough to make Admonition unseasonable, 'tis now high time, considering the Moral state of the World, that not only all Writing, but all Preaching too were laid aside. But this I suppose is a consequence which those that blame our Author's Charge as unseasonable will not admit; whence it follows (whatever in partiality to their own concern they may be induced to say) that even by their own measure it was not really *unseasonable*.

But it may be further said, that this was a Treatment altogether unexpected and unlook'd for. They expected now as much favour from the Pulpit and the Press, as they found from the

Government; and that there should now be no other Discourses about them, but such as were *Healing*, *Complying*, and tending to *Moderation*, and not to have the old business of Schism reviv'd again. This was as much contrary to Expectation, as to Inclination and Humour ; and was it not enough to vex any body to be so disappointed ? That it *was* enough, the Event shews ; but whether it *ought* to be, may admit more question. But I'll tell you a Story.

Causin's Holy Court. part 3. pag. 435. While *Theadore* possessed the Empire of Constantinople with her Son, who was yet in minority, one named *Methodius*, an excellent Painter, an *Italian* by Nation, and Religious by Profession, went to the Court of

of the *Bulgarian* King named *Bogoris*, where he was entertain'd with much favour. This Prince was yet a Pagan, and though tryal had been made to Convert him to the Faith, it succeeded not, because his Mind was so set upon Pleasures, that Reason could find but little access. He was excessively pleased with Hunting; and as some delight in Pictures to behold what they love, so he appointed *Methodius* to paint him a *Piece of Hunting* in a Palace which he had newly built. The Painter, seeing he had a fair Occasion to take his opportunity for the Conversion of this Infidel, instead of Painting an *Hunting-piece* for him, made an exquisite Table of the Day of Judgment. Wherein he represented that great Solemnity with

all its Circumstances of Terror. In the end, the day assigned being come, he drew aside the Curtain, and shewed his Work, 'Tis said, the King at first stood some while pensive, not being able to wonder enough at the strange Sight. Then turning towards *Methodius*, What is this? said he. The Religious Man took Occasion thereupon to tell him of the Judgments of God, of Punishments and Rewards in the other Life; wherewith he was so moved, that in a short time he yielded himself to God by a happy Conversion. Now whether this Device of the Painter was *unseasonable* or no, or whether the advantage of the Design and of the Event would excuse the *Disappointment*, I leave to the Reader to judge.

And

And thus, *Sir*, having fully clear'd my Friend from the treble Indictment that may be laid against him, by shewing his Charge of Schism to have been neither *false*, nor *uncharitable*, nor *unseasonable*, I shall now for a Conclusion of all, address my self to the *Dissenters* in a word or two, concerning their Behaviour under the present Toleration. Not what it *is*, or has been (for that is well enough known) but what it *ought* to be.

Some, it may be, who are not all over Argument-proof, moved with the Reason of the foregoing Considerations, may be ready to ask of me, what would you then have us to do, or how shall we behave our selves under the present state of Things? It seems indeed to be as you say, that the

Relaxation of the Government makes no Change in the Obligations to Conformity ; but if we should lay down the Separation, and come over to the Church, what are we the better for the Toleration ? And is it reasonable that there should be a Toleration, and we not the better for it ? What, was the Toleration granted, not to be enjoyed ? Is it like the Tree of Paradise, good for Food, and pleasant to the Eye, and withal planted within our reach, and yet not to be medled with ? Shall we be so unkind to our selves, as not to embrace an opportunity of Ease and Liberty ? Or so ungrateful to the Government, as not to make use of that Priviledge of Indulgence which the kindness of our Superiors has vouchsafed us ? What would you have us do ? I

I answer in one word, Do now as you *ought* to do *before*. For since the Toleration (as has been proved) makes not any the least Alteration in those Obligations to Church-Unity that are derived either from the Law of the State, or from the Law of God, but all things as to that stand now in the same posture as they did, 'tis plain that your Behaviour also ought to be the very same now that it ought to have been before the Toleration. If the Points of the Compass stand now as they did then, without any *Declension* or *Variation*, 'tis plain that you ought to steer the same Course now, as you ought then. If you ask what that is? I answer,

First, Lay aside as much as possible you can all manner of *Prejudice* that may arise

F 4 either

either from Natural Temper and Complexion, or from Education, or from long Custom to a contrary way; or from blind Regard to the Authority of some Men, for whom, perhaps, you have had a more early than just Veneration; or from Humour, or from Passion, or from Interest, or from whatever else may bribe and corrupt the genuine native Sense of our Minds. For unless the Scale hang even, 'tis to no purpose to weigh any thing in it.

Secondly, When you have thus truly divested your selves of all Prejudice, and reduced your Judgments to an even poise, then apply your selves seriously and deliberately, impartially and sincerely, soberly and in the fear of God to consider and examine the State and Constitution of our Church,

Church, and the Terms of her Communion, whether they are lawful or no. But besure you do not this by advising only with Books of your own way, or by consulting only with Guides of your own Party and Perswasion (for this would be to fall back into your old Prejudice again) but by a free and indifferent recourse to the Writers and Leaders of both Sides, by considering and weighing what is offered by the Learned and excellent Defenders of the Church, as well as what is said by the Advocates for the Separation, and by trying and judging all according to the infallible Rule of the Scripture, and the *Eternal Truth of God* shining forth in your own Souls. And if,

F 5 *Thirdly,*

Thirdly, After your most impartial and sincere Endeavours rightly to inform your selves according to the best use of your Faculties and Opportunities, it be still your unhappines verily to be perswaded in your Consciences, that the Communion of the Church of *England* is unlawful (which though I cannot deny to be absolutely possible, seems yet almost as hard to me for a considerate Man really to believe, as to believe *Transubstantiation*) yet I say, if you should be invincibly determin'd to such a Perswasion, in the Name of God abide where you are, and make use of the Toleration, and enjoy the Benefit of it with Peace and Satisfaction of Mind. I would not for a World perswade you to Communicate with the Church of

of *England* (as excellent as she is) against the real Sense and Perswasion of your Consciences. For the following of which you can never be accountable, provided it be not your *fault* that you are of that Perswasion. But if,

Fourthly and *Lastly*, You are Convinced of the Lawfulness of holding Communion with the Church; (and to be free with you, I cannot but think that most of you are, if you would confess the truth;) then I pray consider seriously with your selves what tolerable Account you will be able to render either to God or Man for continuing a Separation in that Church where even according to your own Judgment and Confession you might lawfully Communicate. Or how you
can

can be said to preserve the Unity of the *Catholick Church*, or that *Communion of Saints* which you profess to believe, if you separate from the Communion of a Visible, Establisht, National **Church**, of whose Lawfulness you are satisfied, and from whom therefore you need not separate. Consider whether this be not a Causeless dividing, disuniting, and dismembring of the Body of Christ, a high Violation of that Publick Order and Decency which he has required in his **Church**, and as great a Breach of the *Christian Peace*, as you can possibly be guilty of in the *Peace of the State*: In one word, consider whether this be not all that which both Scripture and the best Antiquity represent, and so severely condemn under that one Emphatical word, *Schism*. And

And do not think to salve all at last, by taking Sanctuary in the *Toleration*. This, you see, stands Neuter, leaves the State of the Question as it found it ; and does not at all interpose for your relief, but leaves you to stand or fall by the *Absolute Merits* of your Cause.

These therefore alone you ought to consider and enquire into, viz. Whether you can honestly and safely Communicate with us or no ? And if you find you *can*, then 'tis most certain that you *ought*. The Law of God and the Law of Man (for the Toleration you see evacuates neither) do still oblige you to it ; and if you do not, though the Government excuses you from the *Penalty*, yet neither that nor any thing else will excuse you from the *Sin* of Schism.

Schism. The short is, that which will justifie such a Separation as this, will justifie *any*, and then there will be no such thing as an Obligation to Church-Unity, and consequently no such thing as Schism in the World. And I desire never to reduce an Adversary to a greater Extremity than when he is forced to deny the very *Being* and *Possibility* of the Sin of Schism, that he may prove himself to be no *Schismatick*.

This, Sir, is all I think necessary to say upon this Occasion ; and I think I have said nothing but what I have well thought and considered, and what is my real Judgment, and what will stand the Test, whether of *Charity* or of *Truth*. I have viewed and reviewed what I have written ; and I must needs declare, that I can-
not

not discern the least flaw in the Argument of this Discourse, nor do I fear the Severity of the most Critical Eye or Hand. However, if any one of the Learned among the Dissenting Party thinks the Argument of this Discourse may be Answered, and withal thinks himself sufficiently qualified for the Undertaking, (for I declare beforehand that I shall not think my self concerned to take notice of every impertinent Scribler,) I fairly and freely invite him to it; and withal do promise him, for his better encouragement, that he shall find me either Able to Defend what I have written, or Willing to Submit.

Farewell.

POSTSCRIPT

Concerning

Moderation.

I Think it very proper and seasonable, in a word or two, to rectifie another very Popular Mistake, wherewith I find most Common Persons, and some others are imposed upon. It is concerning *Moderation*, whose Notion I perceive to be generally as much abused as that of *Tolerance*, and to as ill a purpose.

Moderation, without question if rightly understood, is a most excellent thing, as signifying,

I. In

I. In general, such a temper of Soul, and such a government of all a Mans Thoughts and Desires, Words and Actions, as may steer the course of Life in the middle way between the Extreams of Defect and Excess, so as to be always affected in Proportion to the Greatness or Goodness of the *End*, and to the Necessity or Usefulness of the *Means*.

Or as signifying more particularly with relation to the *Body*, such a due and well proportioned conduct of it, and regard to it, as becomes a Creature that is neither a meer Animal, nor a pure Spirit, but partakes of both Natures, and therefore ought not so to be addicted to the interest of the Body, as to neglect the Spiritual Life ; nor yet so devoted to the Life of the Spirit, as to

to-forget he is in the Body. This way being as much too *High*, as the other is too *Low*, and the way of Man lying in the *Middle*.

Thus understood, without all doubt *Moderation* is a most excellent thing, and will have an universal and uncontested Approbation. And thus it is generally understood in all other Cases, but only when it relates to *Church-Conformity*. And then by *Moderation* is usually meant either an Indifferency of doing what the Church prescribes, or a doing it by Halves, or a total Omission of it.

And accordingly he is accounted a Moderate Man, who either is indifferently affected to the Constitutions of the Church, and is little concern'd whether he

Con-

Conforms to them or no , and accordingly stands ready and disposed with or without reasonable Occasion to admit of Alterations, or who Conforms by halves, or who does not Conform at all.

All these in their several orders and degrees, go commonly for Men of *Moderation*; and I believe many for the procurement of that specious Title, are tempted to appear so disposed, designing nothing at all worse by it, than only the Reputation of *Moderate Men*.

But let such as run away with this Notion, take this Consideration along with them, if they are not in too much haste, That 'tis not all manner of *Moderation* that is justly to be commended, nor this of theirs in particular, For the right

right Estimation of which matter, I desire the following measures may be considered.

If the Object of our Moderation be not already either by *Nature* or *Constitution* fixed and stated in a due measure, but is to receive its measure from our Moderation, then Moderation, as it signifies an indifference of Mind, may have both Place and Commendation. As suppose in the instance of *Pleasure*, which because an indeterminate Object, and of indefinite Latitude, capable either of Excess or Defect, leaves room for the Exercise of Moderation in us, which is then a good and laudable thing.

But if the Object be already either by *Nature*, or by *positive Constitution* fixed and stated in a due measure, and is not to receive

ceive that measure from our Moderation, then our Moderation has neither Place nor Commendation : As in the Instance suppose of *Vertue* ; which being already supposed to be in the Mean, leaves no room for Moderation in us, nor would Moderation then be a good or laudable thing. Nor was it ever thought a Commendation of the love of Vertue to say it was *Moderate* or *Indifferent*.

Now to apply this to the present Case. If the Order of the *Church of England* were not already constituted in a state and temper of Moderation, then indeed Moderation in Conformity might pretend to some Excellency and Commendation ; but if it be already in such a state and temper, then there is neither
Room

Room for it, nor Excellency in it. But rather on the contrary, to be moderately affected to Conformity, will then be as great a Commendation as to be a moderate Lover of Order and Reason, and all that's good. And they that like this Commendation, 'tis fit they should have it.

Before therefore *Moderation* in Conformity be made a commendable Character, and before Men of this Character be so much cried up and sought after as the fittest Persons to be employ'd both in State and in Church concerns, it ought to be made appear, that the Constitution of the Church is in it self *Immoderate*.

This indeed is slyly and indirectly insinuated by all those that raise

raise such Clamours about *Moderation*. But they ought, if they would deal fairly, directly to prove it ; and indeed wholly to insist upon it, and not to impose upon the *Prejudice* and the *Ignorance* of the People by the specious and plausible Name of *Moderation*. For unless it be first proved, that the Church in her Constitution is Immoderate, 'tis plain, that Moderation on our parts has no room ; and that all the Noise and Stir that is made about it, is but meer *Sophistry*, with ill *Design*.

But now whether the Constitution of the Church be really Immoderate, I refer those that desire to be satisfied to what has been from time to time written in her Defence and Justification, particularly to an excellent Book
very

very Honestly, and, as I think,
very Learnedly written by Doctor
Puller, called, *The Moderation of the Church of England.*

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